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8 *Wynn Las Vegas, LLC and Wynn Resorts, Ltd.*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 BRENNA SCHRADER, an individual, on
behalf of herself and all others similarly
12 situated,

13 Plaintiff,

14 vs.

15 STEPHEN ALAN WYNN; an individual;
MAURICE WOODEN, an individual, WYNN
16 LAS VEGAS, LLC dba WYNN LAS VEGAS
a Nevada Limited Liability, WYNN
17 RESORTS, LTD, a Nevada Limited Liability
Company; and DOES 1-20, inclusive; ROE
18 CORPORATIONS 1-20, inclusive,

19 Defendants.

Case No. 2:19-cv-02159-JCM-BNW

**STIPULATION TO STAY DISCOVERY
PENDING PRIVATE MEDIATION**

(First Request)

20 IT IS HEREBY STIPULATED by and between Plaintiff Brenna Schrader (“Plaintiff”),
21 through her counsel Richard Harris Law Firm and Eglet Adams, Defendants Wynn Las Vegas, LLC
22 (“WLV”) and Wynn Resorts, Ltd. (“WRL”), through their counsel Jackson Lewis P.C., and
23 Defendant Stephen Alan Wynn (“Mr. Wynn”), through his counsel Peterson Baker, PLLC and
24 Pisanelli Bice, PLLC, that discovery be stayed as of Friday, November 18, 2022, for 60 days,
25 through January 17, 2023, while the Parties engage in private mediation in an effort to resolve this
26 case.

27 1. This case was originally referred for an Early Neutral Evaluation (ENE) Conference
28 in 2019. See ECF 6. The parties subsequently stipulated to vacate the ENE because “the

1 preliminary stage of the proceedings” was “a significant hurdle to meaningful participation in the
2 ENE,” but that if the case would proceed after decision of Defendants’ respective motions to
3 dismiss, the parties could submit an appropriate stipulation if an ENE could assist resolution of the
4 case. See ECF 27. The Court approved the stipulation by order. See ECF 27.

5 2. Ultimately, the motions to dismiss were resolved, and the parties submitted a
6 proposed discovery plan and scheduling order on May 20, 2022, noting that “the parties will
7 continue to evaluate opportunities for alternative dispute resolution”.

8 3. On July 15, 2022, the Court issued an oral ruling setting initial discovery deadlines
9 for this matter. ECF Nos. 161, 162.

10 4. On September 7, 2022, the Court granted the parties’ first request to extend
11 discovery deadlines by 90 days. ECF No. 165.

12 5. The parties have been diligently working on written discovery. WRL and WLV
13 responded to Plaintiff’s First Set of Interrogatories and First Set of Requests for Production on
14 October 21, 2022. Plaintiff responded to WRL and WLV’s written discovery requests including
15 their First Set of Requests for Admission on October 19, 2022 and their First Set of Interrogatories
16 and First Set of Requests for Production on October 31, 2022. Plaintiff also responded to Mr.
17 Wynn’s First Set of Requests for Production on November 8, 2022. Further, WRL and WLV served
18 a notice of their intent to serve subpoenas for production of documents on six entities on November
19 15, 2022.

20 6. Plaintiff noticed the deposition of Maurice Wooden to take place on November 16,
21 2022, which date was rescheduled to December 7, 2022, due to a witness conflict. Plaintiff has
22 also requested other defense witness depositions, including a current Human Resources employee
23 and a former member of the Wynn Spa management, whose depositions the parties have been
24 working to coordinate among multiple parties, attorneys, and calendar conflicts.

25 7. WRL, WLV and Mr. Wynn noticed Plaintiff’s deposition to be taken on November
26 2, 2022, which deposition was rescheduled to November 18, 2022, while the parties engaged in
27 meaningful settlement discussions leading up to this stipulation requesting a stay of discovery
28 pending completion of mediation in the next 60 days.

1 8. The parties have agreed to engage in private mediation and are presently attempting
2 to secure a date in December 2022 with a local private mediator. The parties desire to complete
3 private mediation prior to spending additional time and fees to conduct depositions, as well as
4 expert witnesses and substantial briefing regarding potential class certification. Given current
5 scheduling order deadlines, it will be necessary for the parties to simultaneously proceed with
6 depositions, expert discovery, and more while mediating, which will cause the parties to incur
7 substantial additional fees and costs that may be wholly unnecessary if the parties reach a resolution
8 at mediation.

9 9. Accordingly, the parties have agreed and request the Court enter a 60-day stay on
10 discovery while the parties' complete private mediation. At the conclusion of the 60 days, the
11 parties propose providing the Court a joint status report informing the Court whether a resolution
12 was reached at mediation. If a resolution is not reached, the parties will also submit a proposed
13 amended discovery plan with new dates for the Court's consideration.

14 10. Discovery shall be stayed for 60 days, through and including January 17, 2023.

15 11. By January 17, 2023, the parties will submit a joint status report, and, in the event
16 the matter has not settled, a proposed amended discovery plan.

17 12. This Stipulation is made in good faith and not for the purpose of delay.

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13. This is the first request for a stay of discovery pending mediation.

Dated this 17th day of November, 2022.

EGLET ADAMS

JACKSON LEWIS P.C.

/s/ Danielle C. Miller

/s/ Deverie J. Christensen

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ORDER

IT IS SO ORDERED:



United States Magistrate Judge

Dated: November 18, 2022